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plaintiff has had his day in court and has failed to produce sufficient evidence to raise a jury question. The principal case, then, seems clearly correct. *Hay v. City of Baraboo*, 127 Wis. 1, 105 N. W. 654.

TRUSTS — RESULTING TRUST — CONVEYANCE TO HUSBAND FOR CONSIDERATION FURNISHED BY WIFE. — A husband purchased land with money advanced by his wife for that purpose from her separate estate, taking title in himself. There appears to have been no agreement as to which should have title, nor does it appear that the wife knew that title was held by the husband until several years afterward, when he deserted her, and she filed her bill to have a trust declared. *Held*, a trust will be enforced. *Orr v. Orr*, 70 Legal Int. 684 (Pa. C. P., Delaware Co., Oct. 1913).

Where land is conveyed to A. upon consideration furnished by B., a stranger, a trust is presumed to result in favor of B. *Ex parte Vernon*, 2 P. Wms. 549. However, where A. is B.'s wife, for whom it is his duty to provide, the consideration furnished is presumed to be an advancement. *McCartney v. Fletcher*, 11 App. Cas. (D. C.) 1; *Dunbar v. Dunbar*, [1909] 2 Ch. 639. The same presumption applies in Pennsylvania when the person furnishing the consideration is the wife. *McCormick v. Cook*, 199 Pa. 631, 49 Atl. 238. Upon this presumption the result of the principal case is perhaps open to criticism, for the evidence relied on to rebut it is purely negative. By weight of authority, however, consideration furnished by a wife for a conveyance to her husband gives rise to the same presumption of a resulting trust as in the case of strangers. *Martin v. Remington*, 100 Wis. 540, 76 N. W. 614; *Matador Land & Cattle Co. v. Cooper*, 39 Tex. Civ. App. 99, 87 S. W. 235. It is submitted that the latter view is correct, for in the absence of a duty to provide, the reason for presuming a gift fails. Moreover, the ascendancy which the marital relation gives to the husband renders such protection peculiarly necessary to the wife. For a criticism of these presumptions with regard to resulting trusts and a discussion of the effect of statutes relating thereto, see article by James Barr Ames, 20 HARV. L. REV. 555-557.

BOOK REVIEWS.

A TREATISE ON THE LAW OF PUBLIC UTILITIES. By Oscar L. Pond. Indianapolis: The Bobbs-Merrill Company. 1913. pp. liv, 954.

In this treatise on the special law of municipal utilities the author undertakes the ambitious task of ascertaining the nature of the municipal corporation as expressed in the law and in the construction which the courts have given to the powers conferred upon the municipality by the state, and also of discovering what limitations are placed on municipal activity by our constitutions as construed by the courts. He broadens the inquiry to discover how far the judicial construction of the law with regard to the taxation and sale of municipal public utilities facilitates or impedes the cities in the discharge of these new duties imposed by the ownership and operation or the proper regulation and control of municipal public utilities. And he enters into the discussion of what are the most efficient methods of regulation and control available to the state or municipality over the operation by private capital of municipal public utilities. Indeed, he shows throughout that he appreciates that unless the strict regulation by governmental authorities which we are trying out proves effectual, we shall be driven perforce to a further extension of governmental control to the point of municipal ownership, already reached in many communities.